

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (FM) ECF Case
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This document relates to:

Bauer et al. v. al Qaeda Islamic Army, et al., 02-cv-7236 (GBD)(FM)

Ashton et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(FM)

[PROPOSED] ORDER OF FURTHER PARTIAL JUDGMENT

Upon consideration of the evidence and arguments submitted by the forty (40) *Bauer II* and four (4) *Ashton* wrongful death Plaintiffs in the above-captioned actions and the Judgment by Default Against the Islamic Republic of Iran entered on August 31, 2015, together with the entire record in this case, and in addition to the default judgment award for compensatory and punitive damages for the pre-death conscious pain and suffering of each decedent, (*see* ECF Nos. 3226, 3229), it is hereby;

ORDERED that further partial judgment is entered on behalf of the forty (40) *Bauer II* and four (4) *Ashton* Plaintiffs identified in Exhibits A and B against the Islamic Republic of Iran; and it is

ORDERED that the forty (40) *Bauer II* and four (4) *Ashton* Plaintiffs identified in the attached Exhibits A and B are awarded solatium damages as set forth in Exhibits A and B with prejudgment interest on those awards, to the extent that Plaintiffs' claims arise out of injuries in New York State, to be calculated at the statutory simple interest rate of nine percent per annum from September 11, 2001 until today; and with prejudgment interest on awards arising out of injuries occurring elsewhere, to be calculated at a rate of 4.96 percent per annum, compounded annually, over the same period;

ORDERED that the forty (40) *Bauer II* and four (4) *Ashton* Plaintiffs appearing on Exhibits A and B may submit at a later date an application for economic damages awards that will be approved on the same basis as previously awarded to the *Havlish*, certain of the *Ashton*, and the *Bauer I* Plaintiffs.

Dated: New York, New York
October ____, 2016

SO ORDERED:

GEORGE B. DANIELS
UNITED STATES DISTRICT JUDGE